



Docket No.: 1349.1290

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Youn-gun JUNG et al.

Serial No. 10/695,352

Group Art Unit: 2854

Confirmation No. 5992

Filed: October 29, 2003

Examiner: Leslie J. EVANISKO

For: PAPER DISCHARGE UNIT FOR AN INKJET PRINTER

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Office Action mailed August 11, 2004.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Reasons refer to features "in combination with" the paper discharge opening. However, it is noted that independent claim 1 and claim 3 do not recite a combination.

The Reasons also refer to the claim "particularly including" a paper discharge opening. It is submitted that this language in the Reasons for allowance is improper in that it provides certain emphasis which might "place unwarranted interpretations, whether broad or narrow, upon the claims" (M.P.E.P. §1302.14).

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 4-13-06

By:



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